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of 1909 as "amounting in fact to a partial codification of the laws and usages of war ashore and afloat." The Department of State, on the 19th of October, expressly declared that the Declaration of London, the ratifications of which were in fact never exchanged, was no longer to be accepted as a guide, and that the United States would in future rely upon the principles of international law. The fact is also well known that The Hague Conventions, so far as they relate to war, are by their very terms inapplicable as international compacts to the present conflict in Europe, one or more of the belligerents in each instance having failed to ratify them. Two years ago, in reviewing a work just then published on international law, I sounded a note of warning on this subject, particularly as regarded the Declaration of London.

Admiral Stockton, in his preface, says it has been declared by "good authority" that there have "arisen more vexed questions in international law during the first six weeks of this war than during the entire period of the Napoleonic Contests". It does not appear that the "good authority" furnished a detail of the novel questions thus referred to. Such a detail would be very useful and enlightening, especially to one who has witnessed the tendency in the present conflict to reproduce the conditions and the questions which were so fully dealt with during the Napoleonic Wars.

*J. B. Moore.*

WHERE THE PEOPLE RULE. THE INITIATIVE AND REFERENDUM, DIRECT PRIMARY LAW AND THE RECALL IN USE IN THE STATE OF OREGON. By GILBERT L. HEDGES. San Francisco: BENDER-MOSS Co., 1914. pp. vii, 214.

The leading title of this book is at odds with its "legal" binding; and of these, the binding is the better clue to its manner of treatment. "Where the People Rule" suggests another popular, sketchy, and probably doctrinaire exposition of the so-called "Oregon system" (there being, indeed, several of the sort already in the field). Instead, we have a careful abstract of the successive organic acts and enabling statutes by which the "rule of the people," having secured the state-wide initiative and referendum in 1902 and having gained therein a potent weapon for further conquest, has extended itself in the direct primary law of 1904 (amplified in 1910 to permit a "presidential preference primary"), in the amendment of 1906, which gave the initiative and referendum local application and secured municipal "home rule," and in the recall amendment of 1908. Copious citations from the original text are made, and, although all the details essential to an understanding of the practical workings of the laws are given, the general effect is of baldness. This is aggravated by an appendix, which, comprising nearly one-half of a relatively thin volume, is itself made-up largely of excerpts from the Oregon Code relating to elections, and of the entire state constitution, in which clauses relevant to the subjects at hand are briefly annotated.

The book, then, is of value to those who want to find out exactly what these laws are, rather than what they have accomplished. There is, to be sure, a complete table of measures voted upon under the state-wide initiative and referendum, but the absence of comparative percentages in the statement of the votes thereon, which would illuminate crucial points in the operation of direct legislation, deprive it of much of its possible value. It is less useful, even for Oregon, than the

extensive tables given in President Lowell's recent book on "Public Opinion and Popular Government". Especially valuable, however, is the enumeration and careful discussion of each of the specific cases in which the recall has been invoked.

Attention is given at all points to judicial construction, and a separate chapter is devoted to this phase of the matter. Inasmuch as the construction of the loose "home rule" provisions of the Oregon constitution presents the only problem of importance here and is, moreover, one of growing interest to the country at large, it is to be regretted that Mr. Hedges is not more careful in his treatment of the cases in point. He could hardly be asked to arrive at any very certain conclusions about this matter; if he is to be blamed at all, it is because of his over-confident assumption that the cases will bear generalization.

Criticism and evaluation are outside the obvious intent of the book, and the author's commendable restraint in this regard is illustrated by his final chapter of "Comment"—a matter of only four pages. He discreetly presumes that, although "the people of Oregon cannot retreat now nor do they wish to," nevertheless their scheme is still in its infancy. One thing he shows clearly,—that whatever apathy or blindness there may be on the part of the voter may be attributed largely to the congestion of measures upon the ballot, and that this may be traced in turn to the irresponsible attitude of the public generally toward the signing of petitions. The author's constructive suggestions are two: first, a special court, which shall perform a function somewhat analogous to that of the judiciary committee in a state legislature and shall pass upon the constitutionality of any measure to be proposed under the initiative and referendum, prior even to the circulation of the petition; second, compulsory voting, as being logically imperative in view of the new responsibility which the electorate has imposed upon itself. Unfortunately, his rash declaration that the proposed abolition of the state senate may presage the complete disappearance of every representative body in the state, indicates a serious misunderstanding of the political philosophy underlying the People's Power League of Oregon, and tends to lessen one's confidence in the author's judgment.

"Where the People Rule" is modestly commended "to the lawyer, student and citizen alike." The student of government, whether as lawyer or citizen, will find it useful for reference.

*Arthur W. Macmahon.*

WAR AND INSURANCE. By JOSIAH ROYCE. New York: THE MACMILLAN Co. pp. xlviii, 96.

One of the lasting effects of the European war, which is just beginning to affect the American public, is the flood of literature upon the subject. This contribution may be characterized as speculative, a feature quite natural in view of the fact that the conflict has but begun, and a commentary thereon could hardly be expected. Through the instrumentality of the fiduciary trust, and of insurance, Mr. Royce outlines a novel scheme in the time-worn project of abolishing war. The system proposed is based on mutual insurance, but if a disgruntled nation prefers to forfeit its premium and take up the battle-flag, the author has suggested no method other than that of arms to enforce an international subpoena.